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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/069,718

06/18/2002

Yoshifumi Kitamura

KAK-006

5287

23353

7590

10/22/2004

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EXAMINER

NGUYEN, PHU K

ART UNIT

PAPER NUMBER

2671

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/069,718	Applicant(s) KITAMURA ET AL.	
	Examiner Phu K. Nguyen	Art Unit 2671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application. _____
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 5 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Phu K. Nguyen

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over HAMAGISHI (5,855,425) in view of SUDO et al. (EP 0 899 969).

As per claim 1, Hamagishi teaches the claimed "multi-person shared display device, which is a display device shared by a plurality of users" (Hamagishi, figure 5), comprising: "a display device, which displays a plurality of video for a plurality of users on a screen" (Hamagishi, the dispersion panel 2b); "a display mask, which is disposed so as to cover said display device separated by a fixed distance" (Hamagishi, the parallax barrier 2C'); "a position sensor, which detects a location of the user in real space corresponding to said display device" (Hamagishi, sensor 10); and "a processing device, which is dynamically combined with said display device and said position

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sensor, and displays the image corresponding to the user upon said display device in accordance with said location of the user through said position sensor" (Hamagishi, driving and control unit 12). It is noted that Hamagishi does not explicitly teach the display mask having "one fixed sufficiently large hole through which each of said plurality of users watches said image corresponding to the user on said display device" as claimed. Sudo teaches that such "fixed sufficiently large hole" on the display mask is well known in the art (Sudo, page 11, lines 25-37). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Sudo, to configure Hamagishi's system as claimed by provide the display mask with "sufficiently large hole" because the proper size of the hole improves the quality of recognized image.

Applicant's arguments filed on July 22, 2004 have been fully considered, but they are not deemed to be persuasive. Since the terms of "fixed" and sufficient large" used in the claims are not specific and therefore, can be interpreted as the holes in Sudo's pinhole panel, which are "sufficiently large" and also "fixed" in term of "not change" in form. Although Examiner agrees that the invention as disclosed is patentable distinct from the teaching of Sudo and Hamagishi, however, Applicant should use the language that are more specific in term in the claims to make it distinct to the teaching of the cited references.

Claim 2 adds into claim 1 "wherein said image to be displayed upon the display device includes video for three-dimensional viewing" which Hamagishi teaches in the

3D image through the stereoscopic display (column 8, lines 26-27).

Claim 3 adds into claim 2 "wherein each user wears a plurality of glasses for separating said video for three-dimensional viewing displayed into that for the right eye and that for the left eye; and the plurality of video, for three dimensional viewing shown on said display device, is images allowing separation between that for the right eye and that for the left eye through said plurality of glasses" which would have been obvious because the glasses yields an effect of the stereoscopic images.

Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 4-5 are allowed.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (703)305 - 9796. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on (703)305-9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phu K. Nguyen
October 18, 2004

Phu K. Nguyen
PHU K. NGUYEN
REGISTERED
PATENT EXAMINER